

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 278 be amended to read as follows:

- 1 Page 2, between lines 3 and 4, begin a new paragraph and insert:
- 2 "SECTION 2. IC 4-33-12-6, AS AMENDED BY P.L.4-2005,
- 3 SECTION 23, IS AMENDED TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2005]: Sec. 6. (a) The department shall place
- 5 in the state general fund the tax revenue collected under this chapter.
- 6 (b) Except as provided by subsections (c) and (d) and IC 6-3.1-20-7,
- 7 the treasurer of state shall quarterly pay the following amounts:
- 8 (1) Except as provided in subsection (k), one dollar (\$1) of the
- 9 admissions tax collected by the licensed owner for each person
- 10 embarking on a gambling excursion during the quarter or admitted
- 11 to a riverboat that has implemented flexible scheduling under
- 12 IC 4-33-6-21 during the quarter shall be paid to:
- 13 (A) the city in which the riverboat is docked, if the city:
- 14 (i) is located in a county having a population of more than
- 15 one hundred ten thousand (110,000) but less than one
- 16 hundred fifteen thousand (115,000); or
- 17 (ii) is contiguous to the Ohio River and is the largest city in
- 18 the county; and
- 19 (B) the county in which the riverboat is docked, if the riverboat
- 20 is not docked in a city described in clause (A).
- 21 (2) Except as provided in subsection (k), one dollar (\$1) of the
- 22 admissions tax collected by the licensed owner for each person:
- 23 (A) embarking on a gambling excursion during the quarter; or
- 24 (B) admitted to a riverboat during the quarter that has
- 25 implemented flexible scheduling under IC 4-33-6-21;

1 shall be paid to the county in which the riverboat is docked. In the
 2 case of a county described in subdivision (1)(B), this one dollar
 3 (\$1) is in addition to the one dollar (\$1) received under
 4 subdivision (1)(B).

5 (3) Except as provided in subsection (k), ten cents (\$0.10) of the
 6 admissions tax collected by the licensed owner for each person:

7 (A) embarking on a gambling excursion during the quarter; or

8 (B) admitted to a riverboat during the quarter that has
 9 implemented flexible scheduling under IC 4-33-6-21;

10 shall be paid to the county convention and visitors bureau or
 11 promotion fund for the county in which the riverboat is docked.

12 (4) Except as provided in subsection (k), fifteen cents (\$0.15) of
 13 the admissions tax collected by the licensed owner for each
 14 person:

15 (A) embarking on a gambling excursion during the quarter; or

16 (B) admitted to a riverboat during a quarter that has
 17 implemented flexible scheduling under IC 4-33-6-21;

18 shall be paid to the state fair commission, for use in any activity
 19 that the commission is authorized to carry out under IC 15-1.5-3.

20 (5) Except as provided in subsection (k), ten cents (\$0.10) of the
 21 admissions tax collected by the licensed owner for each person:

22 (A) embarking on a gambling excursion during the quarter; or

23 (B) admitted to a riverboat during the quarter that has
 24 implemented flexible scheduling under IC 4-33-6-21;

25 shall be paid to the division of mental health and addiction. The
 26 division shall allocate at least twenty-five percent (25%) of the
 27 funds derived from the admissions tax to the prevention and
 28 treatment of compulsive gambling.

29 (6) Except as provided in subsection (k), sixty-five cents (\$0.65)
 30 of the admissions tax collected by the licensed owner for each
 31 person embarking on a gambling excursion during the quarter or
 32 admitted to a riverboat during the quarter that has implemented
 33 flexible scheduling under IC 4-33-6-21 shall be paid to the
 34 Indiana horse racing commission to be distributed as follows, in
 35 amounts determined by the Indiana horse racing commission, for
 36 the promotion and operation of horse racing in Indiana:

37 (A) To one (1) or more breed development funds established
 38 by the Indiana horse racing commission under IC 4-31-11-10.

39 (B) To a racetrack that was approved by the Indiana horse
 40 racing commission under IC 4-31. The commission may make
 41 a grant under this clause only for purses, promotions, and
 42 routine operations of the racetrack. No grants shall be made for
 43 long term capital investment or construction, and no grants
 44 shall be made before the racetrack becomes operational and is
 45 offering a racing schedule.

46 (c) With respect to tax revenue collected from a riverboat located in
 47 a historic hotel district, the treasurer of state shall quarterly pay the

1 following amounts:

2 (1) Twenty-five percent (25%) of the admissions tax collected
3 during the quarter shall be paid to the county treasurer of the
4 county in which the riverboat is docked. The county treasurer
5 shall distribute the money received under this subdivision as
6 follows:

7 (A) Twenty percent (20%) shall be quarterly distributed to the
8 county treasurer of a county having a population of more than
9 thirty-nine thousand six hundred (39,600) but less than forty
10 thousand (40,000) for appropriation by the county fiscal body
11 after receiving a recommendation from the county executive.
12 The county fiscal body for the receiving county shall provide
13 for the distribution of the money received under this clause to
14 one (1) or more taxing units (as defined in IC 6-1.1-1-21) in
15 the county under a formula established by the county fiscal
16 body after receiving a recommendation from the county
17 executive.

18 (B) Twenty percent (20%) shall be quarterly distributed to the
19 county treasurer of a county having a population of more than
20 ten thousand seven hundred (10,700) but less than twelve
21 thousand (12,000) for appropriation by the county fiscal body.
22 The county fiscal body for the receiving county shall provide
23 for the distribution of the money received under this clause to
24 one (1) or more taxing units (as defined in IC 6-1.1-1-21) in
25 the county under a formula established by the county fiscal
26 body after receiving a recommendation from the county
27 executive.

28 (C) Sixty percent (60%) shall be retained by the county where
29 the riverboat is docked for appropriation by the county fiscal
30 body after receiving a recommendation from the county
31 executive. The county fiscal body shall provide for the
32 distribution of part or all of the money received under this
33 clause to the following under a formula established by the
34 county fiscal body:

35 (i) A town having a population of more than two thousand
36 two hundred (2,200) but less than three thousand five
37 hundred (3,500) located in a county having a population of
38 more than nineteen thousand three hundred (19,300) but less
39 than twenty thousand (20,000).

40 (ii) A town having a population of more than three thousand
41 five hundred (3,500) located in a county having a population
42 of more than nineteen thousand three hundred (19,300) but
43 less than twenty thousand (20,000).

44 (2) Sixteen percent (16%) of the admissions tax collected during
45 the quarter shall be paid in equal amounts to each town that:

46 (A) is located in the county in which the riverboat docks; and
47 (B) contains a historic hotel.

- 1 The town council shall appropriate a part of the money received
 2 by the town under this subdivision to the budget of the town's
 3 tourism commission.
- 4 (3) Nine percent (9%) of the admissions tax collected during the
 5 quarter shall be paid to the historic hotel preservation commission
 6 established under IC 36-7-11.5.
- 7 (4) Twenty-five percent (25%) of the admissions tax collected
 8 during the quarter shall be paid to the West Baden Springs historic
 9 hotel preservation and maintenance fund established by
 10 IC 36-7-11.5-11(b).
- 11 (5) Twenty-five percent (25%) of the admissions tax collected
 12 during the quarter shall be paid to the Indiana economic
 13 development corporation to be used by the corporation for the
 14 development and implementation of a regional economic
 15 development strategy to assist the residents of the county in which
 16 the riverboat is located and residents of contiguous counties in
 17 improving their quality of life and to help promote successful and
 18 sustainable communities. The regional economic development
 19 strategy must include goals concerning the following issues:
- 20 (A) Job creation and retention.
 21 (B) Infrastructure, including water, wastewater, and storm
 22 water infrastructure needs.
 23 (C) Housing.
 24 (D) Workforce training.
 25 (E) Health care.
 26 (F) Local planning.
 27 (G) Land use.
 28 (H) Assistance to regional economic development groups.
 29 (I) Other regional development issues as determined by the
 30 Indiana economic development corporation.
- 31 (d) With respect to tax revenue collected from a riverboat that
 32 operates from a county having a population of more than four hundred
 33 thousand (400,000) but less than seven hundred thousand (700,000), the
 34 treasurer of state shall quarterly pay the following amounts:
- 35 (1) Except as provided in subsection (k), one dollar (\$1) of the
 36 admissions tax collected by the licensed owner for each person:
 37 (A) embarking on a gambling excursion during the quarter; or
 38 (B) admitted to a riverboat during the quarter that has
 39 implemented flexible scheduling under IC 4-33-6-21;
 40 shall be paid to the city in which the riverboat is docked.
- 41 (2) Except as provided in subsection (k), one dollar (\$1) of the
 42 admissions tax collected by the licensed owner for each person:
 43 (A) embarking on a gambling excursion during the quarter; or
 44 (B) admitted to a riverboat during the quarter that has
 45 implemented flexible scheduling under IC 4-33-6-21;
 46 shall be paid to the county in which the riverboat is docked.
- 47 (3) Except as provided in subsection (k), nine cents (\$0.09) of the

- 1 admissions tax collected by the licensed owner for each person:
2 (A) embarking on a gambling excursion during the quarter; or
3 (B) admitted to a riverboat during the quarter that has
4 implemented flexible scheduling under IC 4-33-6-21;
5 shall be paid to the county convention and visitors bureau or
6 promotion fund for the county in which the riverboat is docked.
7 (4) Except as provided in subsection (k), one cent (\$0.01) of the
8 admissions tax collected by the licensed owner for each person:
9 (A) embarking on a gambling excursion during the quarter; or
10 (B) admitted to a riverboat during the quarter that has
11 implemented flexible scheduling under IC 4-33-6-21;
12 shall be paid to the northwest Indiana law enforcement training
13 center.
14 (5) Except as provided in subsection (k), fifteen cents (\$0.15) of
15 the admissions tax collected by the licensed owner for each
16 person:
17 (A) embarking on a gambling excursion during the quarter; or
18 (B) admitted to a riverboat during a quarter that has
19 implemented flexible scheduling under IC 4-33-6-21;
20 shall be paid to the state fair commission for use in any activity
21 that the commission is authorized to carry out under IC 15-1.5-3.
22 (6) Except as provided in subsection (k), ten cents (\$0.10) of the
23 admissions tax collected by the licensed owner for each person:
24 (A) embarking on a gambling excursion during the quarter; or
25 (B) admitted to a riverboat during the quarter that has
26 implemented flexible scheduling under IC 4-33-6-21;
27 shall be paid to the division of mental health and addiction. The
28 division shall allocate at least twenty-five percent (25%) of the
29 funds derived from the admissions tax to the prevention and
30 treatment of compulsive gambling.
31 (7) Except as provided in subsection (k), sixty-five cents (\$0.65)
32 of the admissions tax collected by the licensed owner for each
33 person embarking on a gambling excursion during the quarter or
34 admitted to a riverboat during the quarter that has implemented
35 flexible scheduling under IC 4-33-6-21 shall be paid to the
36 Indiana horse racing commission to be distributed as follows, in
37 amounts determined by the Indiana horse racing commission, for
38 the promotion and operation of horse racing in Indiana:
39 (A) To one (1) or more breed development funds established
40 by the Indiana horse racing commission under IC 4-31-11-10.
41 (B) To a racetrack that was approved by the Indiana horse
42 racing commission under IC 4-31. The commission may make
43 a grant under this clause only for purses, promotions, and
44 routine operations of the racetrack. No grants shall be made for
45 long term capital investment or construction, and no grants
46 shall be made before the racetrack becomes operational and is
47 offering a racing schedule.

1 (e) Money paid to a unit of local government under subsection (b)(1)
2 through (b)(2), (c)(1) through (c)(2), or (d)(1) through (d)(2):

3 (1) must be paid to the fiscal officer of the unit and may be
4 deposited in the unit's general fund or riverboat fund established
5 under IC 36-1-8-9, or both;

6 (2) may not be used to reduce the unit's maximum levy under
7 IC 6-1.1-18.5 but may be used at the discretion of the unit to
8 reduce the property tax levy of the unit for a particular year;

9 (3) may be used for any legal or corporate purpose of the unit,
10 including the pledge of money to bonds, leases, or other
11 obligations under IC 5-1-14-4; and

12 (4) is considered miscellaneous revenue.

13 (f) Money paid by the treasurer of state under subsection (b)(3) or
14 (d)(3) shall be:

15 (1) deposited in:

16 (A) the county convention and visitor promotion fund; or

17 (B) the county's general fund if the county does not have a
18 convention and visitor promotion fund; and

19 (2) used only for the tourism promotion, advertising, and
20 economic development activities of the county and community.

21 (g) Money received by the division of mental health and addiction
22 under subsections (b)(5) and (d)(6):

23 (1) is annually appropriated to the division of mental health and
24 addiction;

25 (2) shall be distributed to the division of mental health and
26 addiction at times during each state fiscal year determined by the
27 budget agency; and

28 (3) shall be used by the division of mental health and addiction for
29 programs and facilities for the prevention and treatment of
30 addictions to drugs, alcohol, and compulsive gambling, including
31 the creation and maintenance of a toll free telephone line to
32 provide the public with information about these addictions. The
33 division shall allocate at least twenty-five percent (25%) of the
34 money received to the prevention and treatment of compulsive
35 gambling.

36 (h) This subsection applies to the following:

37 (1) Each entity receiving money under subsection (b).

38 (2) Each entity receiving money under subsection (d)(1) through
39 (d)(2).

40 (3) Each entity receiving money under subsection (d)(5) through
41 (d)(7).

42 The treasurer of state shall determine the total amount of money paid
43 by the treasurer of state to an entity subject to this subsection during the
44 state fiscal year 2002. The amount determined under this subsection is
45 the base year revenue for each entity subject to this subsection. The
46 treasurer of state shall certify the base year revenue determined under
47 this subsection to each entity subject to this subsection.

1 (i) This subsection applies to an entity receiving money under
 2 subsection (d)(3) or (d)(4). The treasurer of state shall determine the
 3 total amount of money paid by the treasurer of state to the entity
 4 described in subsection (d)(3) during state fiscal year 2002. The amount
 5 determined under this subsection multiplied by nine-tenths (0.9) is the
 6 base year revenue for the entity described in subsection (d)(3). The
 7 amount determined under this subsection multiplied by one-tenth (0.1)
 8 is the base year revenue for the entity described in subsection (d)(4).
 9 The treasurer of state shall certify the base year revenue determined
 10 under this subsection to each entity subject to this subsection.

11 (j) This subsection does not apply to an entity receiving money
 12 under subsection (c). For state fiscal years beginning after June 30,
 13 2002, the total amount of money distributed to an entity under this
 14 section during a state fiscal year may not exceed the entity's base year
 15 revenue as determined under subsection (h) or (i). If the treasurer of
 16 state determines that the total amount of money distributed to an entity
 17 under this section during a state fiscal year is less than the entity's base
 18 year revenue, the treasurer of state shall make a supplemental
 19 distribution to the entity under ~~IC 4-33-13-5(g)~~ **IC 4-33-13-5(f)**.

20 (k) This subsection does not apply to an entity receiving money
 21 under subsection (c). For state fiscal years beginning after June 30,
 22 2002, the treasurer of state shall pay that part of the riverboat
 23 admissions taxes that:

24 (1) exceed a particular entity's base year revenue; and

25 (2) would otherwise be due to the entity under this section;
 26 to the property tax replacement fund instead of to the entity.

27 SECTION 3. IC 4-33-13-5 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) This subsection
 29 does not apply to tax revenue remitted by an operating agent operating
 30 a riverboat in a historic hotel district. After funds are appropriated
 31 under section 4 of this chapter, ~~each month~~ the treasurer of state shall
 32 distribute the tax revenue deposited in the state gaming fund under this
 33 chapter ~~to the following:~~ **as follows:**

34 (1) The first thirty-three million dollars (\$33,000,000) of tax
 35 revenues collected under this chapter **in a state fiscal year** shall
 36 be set aside for revenue sharing under subsection ~~(c)~~ **(d)**.

37 (2) ~~Subject to subsection (c), twenty-five percent (25%) of the~~
 38 ~~remaining tax revenue remitted by each licensed owner~~
 39 **Beginning on the last business day of September and on the**
 40 **last business day of each remaining month in a state fiscal**
 41 **year, one hundred thousand dollars (\$100,000) shall be paid to**
 42 **the county treasurer of each county in Indiana. If the amounts**
 43 **deposited in the state gaming fund are insufficient to fully pay**
 44 **the amounts required under this subdivision in a particular**
 45 **month, the treasurer of state shall equally reduce the amount**
 46 **paid to each county treasurer in the month.**

47 ~~(A) to the city that is designated as the home dock of the~~

1 riverboat from which the tax revenue was collected, in the case
2 of:

- 3 (i) a city described in IC 4-33-12-6(b)(1)(A); or
4 (ii) a city located in a county having a population of more
5 than four hundred thousand (400,000) but less than seven
6 hundred thousand (700,000); or
7 (B) to the county that is designated as the home dock of the
8 riverboat from which the tax revenue was collected; in the case
9 of a riverboat whose home dock is not in a city described in
10 clause (A).

11 (3) Subject to subsection ~~(d)~~; (c), the remainder of the tax revenue
12 remitted by each licensed owner shall be paid to the property tax
13 replacement fund. In each state fiscal year beginning after June
14 30, 2003, the treasurer of state shall make the transfer required by
15 this subdivision not later than the last business day of the month
16 in which the tax revenue is remitted to the state for deposit in the
17 state gaming fund. However, if tax revenue is received by the state
18 on the last business day in a month, the treasurer of state may
19 transfer the tax revenue to the property tax replacement fund in
20 the immediately following month.

21 (b) This subsection applies only to tax revenue remitted by an
22 operating agent operating a riverboat in a historic hotel district. After
23 funds are appropriated under section 4 of this chapter, each month the
24 treasurer of state shall distribute the tax revenue deposited in the state
25 gaming fund under this chapter as follows:

26 (1) Thirty-seven and one half percent (37.5%) shall be paid to the
27 property tax replacement fund established under IC 6-1.1-21.

28 (2) Thirty-seven and one-half percent (37.5%) shall be paid to the
29 West Baden Springs historic hotel preservation and maintenance
30 fund established by IC 36-7-11.5-11(b). However, at any time the
31 balance in that fund exceeds twenty million dollars (\$20,000,000),
32 the amount described in this subdivision shall be paid to the
33 property tax replacement fund established under IC 6-1.1-21.

34 (3) Five percent (5%) shall be paid to the historic hotel
35 preservation commission established under IC 36-7-11.5.

36 (4) Ten percent (10%) shall be paid in equal amounts to each town
37 that:

- 38 (A) is located in the county in which the riverboat docks; and
39 (B) contains a historic hotel.

40 The town council shall appropriate a part of the money received
41 by the town under this subdivision to the budget of the town's
42 tourism commission.

43 (5) Ten percent (10%) shall be paid to the county treasurer of the
44 county in which the riverboat is docked. The county treasurer
45 shall distribute the money received under this subdivision as
46 follows:

- 47 (A) Twenty percent (20%) shall be quarterly distributed to the

1 county treasurer of a county having a population of more than
 2 thirty-nine thousand six hundred (39,600) but less than forty
 3 thousand (40,000) for appropriation by the county fiscal body
 4 after receiving a recommendation from the county executive.
 5 The county fiscal body for the receiving county shall provide
 6 for the distribution of the money received under this clause to
 7 one (1) or more taxing units (as defined in IC 6-1.1-1-21) in
 8 the county under a formula established by the county fiscal
 9 body after receiving a recommendation from the county
 10 executive.

11 (B) Twenty percent (20%) shall be quarterly distributed to the
 12 county treasurer of a county having a population of more than
 13 ten thousand seven hundred (10,700) but less than twelve
 14 thousand (12,000) for appropriation by the county fiscal body
 15 after receiving a recommendation from the county executive.
 16 The county fiscal body for the receiving county shall provide
 17 for the distribution of the money received under this clause to
 18 one (1) or more taxing units (as defined in IC 6-1.1-1-21) in
 19 the county under a formula established by the county fiscal
 20 body after receiving a recommendation from the county
 21 executive.

22 (C) Sixty percent (60%) shall be retained by the county where
 23 the riverboat is docked for appropriation by the county fiscal
 24 body after receiving a recommendation from the county
 25 executive. The county fiscal body shall provide for the
 26 distribution of part or all of the money received under this
 27 clause to the following under a formula established by the
 28 county fiscal body:

29 (i) A town having a population of more than two thousand
 30 two hundred (2,200) but less than three thousand five
 31 hundred (3,500) located in a county having a population of
 32 more than nineteen thousand three hundred (19,300) but less
 33 than twenty thousand (20,000).

34 (ii) A town having a population of more than three thousand
 35 five hundred (3,500) located in a county having a population
 36 of more than nineteen thousand three hundred (19,300) but
 37 less than twenty thousand (20,000).

38 (c) For each city and county receiving money under subsection
 39 (a)(2)(A) or (a)(2)(C), the treasurer of state shall determine the total
 40 amount of money paid by the treasurer of state to the city or county
 41 during the state fiscal year 2002. The amount determined is the base
 42 year revenue for the city or county. The treasurer of state shall certify
 43 the base year revenue determined under this subsection to the city or
 44 county. The total amount of money distributed to a city or county under
 45 this section during a state fiscal year may not exceed the entity's base
 46 year revenue. For each state fiscal year beginning after June 30, 2002,
 47 the treasurer of state shall pay that part of the riverboat wagering taxes

1 that:

2 ~~(1)~~ exceeds a particular city or county's base year revenue; and

3 ~~(2)~~ would otherwise be due to the city or county under this

4 section;

5 to the property tax replacement fund instead of to the city or county.

6 ~~(d)~~ (c) Each state fiscal year the treasurer of state shall transfer from

7 the tax revenue remitted to the property tax replacement fund under

8 subsection (a)(3) to the build Indiana fund an amount that when added

9 to the following may not exceed two hundred fifty million dollars

10 (\$250,000,000):

11 (1) Surplus lottery revenues under IC 4-30-17-3.

12 (2) Surplus revenue from the charity gaming enforcement fund

13 under IC 4-32-10-6.

14 (3) Tax revenue from pari-mutuel wagering under IC 4-31-9-3.

15 The treasurer of state shall make transfers on a monthly basis as needed

16 to meet the obligations of the build Indiana fund. If in any state fiscal

17 year insufficient money is transferred to the property tax replacement

18 fund under subsection (a)(3) to comply with this subsection, the

19 treasurer of state shall reduce the amount transferred to the build

20 Indiana fund to the amount available in the property tax replacement

21 fund from the transfers under subsection (a)(3) for the state fiscal year.

22 ~~(e)~~ (d) Before August 15 of 2003 and each year thereafter, the

23 treasurer of state shall distribute the wagering taxes set aside for

24 revenue sharing under subsection (a)(1) to the county treasurer of each

25 county that does not have a riverboat according to the ratio that the

26 county's population bears to the total population of the counties that do

27 not have a riverboat. Except as provided in subsection ~~(h)~~, (g), the

28 county auditor shall distribute the money received by the county under

29 this subsection as follows:

30 (1) To each city located in the county according to the ratio the

31 city's population bears to the total population of the county.

32 (2) To each town located in the county according to the ratio the

33 town's population bears to the total population of the county.

34 (3) After the distributions required in subdivisions (1) and (2) are

35 made, the remainder shall be retained by the county.

36 ~~(f)~~ (e) Money received by a city, town, or county under subsection

37 ~~(e)~~ (d) or ~~(h)~~ (g) may be used for any of the following purposes:

38 (1) To reduce the property tax levy of the city, town, or county for

39 a particular year (a property tax reduction under this subdivision

40 does not reduce the maximum levy of the city, town, or county

41 under IC 6-1.1-18.5);

42 (2) For deposit in a special fund or allocation fund created under

43 IC 8-22-3.5, IC 36-7-14, IC 36-7-14.5, IC 36-7-15.1, and

44 IC 36-7-30 to provide funding for additional credits for property

45 tax replacement in property tax increment allocation areas or debt

46 repayment.

47 (3) To fund sewer and water projects, including storm water

- 1 management projects.
- 2 (4) For police and fire pensions.
- 3 (5) To carry out any governmental purpose for which the money
- 4 is appropriated by the fiscal body of the city, town, or county.
- 5 Money used under this subdivision does not reduce the property
- 6 tax levy of the city, town, or county for a particular year or reduce
- 7 the maximum levy of the city, town, or county under
- 8 IC 6-1.1-18.5.
- 9 ~~(g)~~ (f) This subsection does not apply to an entity receiving money
- 10 under IC 4-33-12-6(c). Before September 15 of 2003 and each year
- 11 thereafter, the treasurer of state shall determine the total amount of
- 12 money distributed to an entity under IC 4-33-12-6 during the preceding
- 13 state fiscal year. If the treasurer of state determines that the total amount
- 14 of money distributed to an entity under IC 4-33-12-6 during the
- 15 preceding state fiscal year was less than the entity's base year revenue
- 16 (as determined under IC 4-33-12-6), the treasurer of state shall make a
- 17 supplemental distribution to the entity from taxes collected under this
- 18 chapter and deposited into the property tax replacement fund. The
- 19 amount of the supplemental distribution is equal to the difference
- 20 between the entity's base year revenue (as determined under
- 21 IC 4-33-12-6) and the total amount of money distributed to the entity
- 22 during the preceding state fiscal year under IC 4-33-12-6.
- 23 ~~(f)~~ (g) This subsection applies only to a county containing a
- 24 consolidated city. The county auditor shall distribute the money
- 25 received by the county under subsection (d) as follows:
- 26 (1) To each city, other than a consolidated city, located in the
- 27 county according to the ratio that the city's population bears to the
- 28 total population of the county.
- 29 (2) To each town located in the county according to the ratio that
- 30 the town's population bears to the total population of the county.
- 31 (3) After the distributions required in subdivisions (1) and (2) are
- 32 made, the remainder shall be paid in equal amounts to the
- 33 consolidated city and the county.
- 34 **(h) A county that receives money under subsection (a)(2) may**
- 35 **use the money for the following purposes:**
- 36 **(1) To reduce the property tax levy of the county for a**
- 37 **particular year (a property tax reduction under this**
- 38 **subdivision does not reduce the maximum levy of the county**
- 39 **under IC 6-1.1-18.5).**
- 40 **(2) A project that would be considered an economic**
- 41 **development project under IC 6-3.5-7-13.1.**
- 42 **(3) To construct, reconstruct, repair, or maintain streets and**
- 43 **roads under the county's jurisdiction."**
- 44 Renumber all SECTIONS consecutively.
(Reference is to ESB 278 as printed March 25, 2005.

Representative Davis